

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-257-E - ORDER NO. 2009-632
SEPTEMBER 4, 2009

IN RE: Monica Rakes,)	ORDER DISMISSING
Complainant/Petitioner)	COMPLAINT OF
)	MONICA RAKES
v.)	
)	
South Carolina Electric & Gas Company,)	
Defendant/Respondent)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on a Motion to Dismiss the Complaint of Monica Rakes filed by South Carolina Electric & Gas Company (“SCE&G” or “Company”). Rakes submitted her Complaint on June 23, 2009, alleging that her meter was faulty and that it resulted in an incorrectly high bill. In her Complaint, Rakes claims to have had “everything checked in [her] home and there seems to be nothing wrong...” As a result, she requested the Commission order that “her lights remain on” and requested a hearing.

In response, SCE&G filed an Answer and Motion to Dismiss along with the Affidavit of Marsha Klatt, a Senior Analyst with the Company. In its Answer, SCE&G states it has no record that Rakes requested her meter be checked. The Company informs the Commission that it did, however, check the meter on July 20, 2009, after receiving a copy of the Complaint. The result of this test showed that the meter was working properly. Based on Rakes’ past payment and filing history, SCE&G seeks to have the

Complaint dismissed, contending that she is abusing S.C. Code Ann. Regs. 103-345(B) for the purpose of avoiding the payment of past due and current utility bills.¹

In SCE&G's Motion to Dismiss, the Company shows a history of similar complaints made by Rakes and asserts that she is deliberately attempting to avoid or prolong payment for her service. After filing a Complaint on March 31, 2008, SCE&G placed Rakes on a Deferred Payment Plan ("DPP"). During the time that her Complaint was pending, she continued to receive electricity pursuant to the requirements of S.C. Code Ann. Regs. 103-345 (Supp. 2008). Ultimately, the Commission dismissed her Complaint. Order No. 2008-621 (Sept. 10, 2008).

More recently, the Commission received another Complaint from Rakes on March 27, 2009, after she was \$1,133.70 in arrears. Rakes entered into a DPP again, and the Commission dismissed the Complaint through Order No. 2009-298 (May 6, 2009). According to SCE&G, Rakes failed to follow through with her commitment under the existing DPP and owed \$364.87 as of June 23, 2009. Also on this date, SCE&G sent a letter informing Rakes that her service would be disconnected unless payment was received immediately.

On June 22, 2009, Rakes filed the current pending Complaint with the Commission asserting that an incorrect meter reading was causing her bill to be too high and again requesting that her service not be disconnected. At that time, she owed SCE&G approximately \$1,601.00, and she has failed to make any payments since filing the Complaint. Subsequent to the current Complaint, SCE&G tested Rakes' meter and

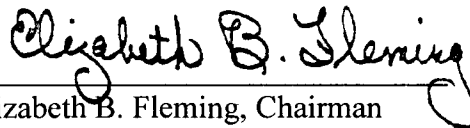
¹ S.C.Code Ann. Regs. 103-345(B) prevents customer disconnects if a complainant requests a hearing.

has determined that it is functioning properly. Furthermore, the information in SCE&G's Answer to the current Complaint is affirmed through the Affidavit of its Senior Analyst Marsha H. Klatt.

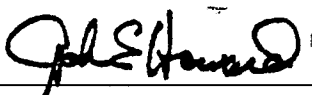
We find that no controversy exists in this matter, since Rakes' meter is reading correctly. We further find that Rakes owes her past due amount to SCE&G. Therefore, the Motion to Dismiss is granted. Consequently, Monica Rakes' Complaint is dismissed.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)